

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37365

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|------------------------|---|----------------------------------|
| STATE OF IDAHO, |) | 2010 Unpublished Opinion No. 572 |
| |) | |
| Plaintiff-Respondent, |) | Filed: August 4, 2010 |
| |) | |
| v. |) | Stephen W. Kenyon, Clerk |
| |) | |
| STEVEN JOSHUA VASQUEZ, |) | THIS IS AN UNPUBLISHED |
| |) | OPINION AND SHALL NOT |
| Defendant-Appellant. |) | BE CITED AS AUTHORITY |
| |) | |

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Judgment of conviction and unified sentence of seven years, with a minimum period of confinement of two years, for burglary, affirmed.

Molly J. Huskey, State Appellate Public Defender; Sara B. Thomas, Chief, Appellate Unit, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before GUTIERREZ, Judge; GRATTON, Judge;
and MELANSON, Judge

PER CURIAM

Steven Joshua Vasquez pled guilty to burglary. I.C. § 18-1401. In exchange for his guilty plea, an additional charge and an allegation that Vasquez was a persistent violator were dismissed. The district court sentenced Vasquez to a unified term of seven years, with a minimum period of confinement of two years, to run concurrent with an unrelated sentence. Vasquez filed an I.C.R. 35 motion for reduction of his sentence, which the district court denied. Vasquez appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-

15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Vasquez's judgment of conviction and sentence are affirmed.